UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re **Brian S. Russell**
Megan S. Russell

Case No. 13-33660-KLP

Debtor(s) **Chapter 7**

ORDER UPON CONVERSION OF JOINT DEBTOR FROM CHAPTER 13 TO CHAPTER 7

Megan S. Russell, hereinafter referred to as the joint debtor, filed a petition under Chapter 13 of the Bankruptcy Code on 07/03/2013, and on 01/05/2015, filed a notice of conversion to a case under Chapter 7. Accordingly, it is **ORDERED** that:

1. The trustee in the superseded case shall file a final report and account as required by Federal Rule of Bankruptcy Procedure 1019(5) and Local Bankruptcy Rule 1017-1(D) with the Court within **30 days** after conversion of this case, with a copy to be mailed to the United States Trustee;

2. The joint debtor, pursuant to Local Bankruptcy Rule 1017-1(A), shall file with the Court within **14 days** after the conversion of this case as applicable, either:
   (a) a schedule of unpaid debts incurred after commencement of original bankruptcy case, and a list of creditors in the format required by the Clerk, **or**
   (b) a certification that no unpaid debts have been incurred since the commencement of the case.

[If the debtor fails to file the schedule and list referred to above on the date of conversion of the case, any such subsequent filing shall be treated as an amendment under Local Bankruptcy Rule 1009-1 and the debtor shall be required to give all required notices and distribute all required copies, including copies to the trustee and the United States Trustee.]

3. The joint debtor, pursuant to Federal Rule of Bankruptcy Procedure 1019(1)(B), shall file with the Court a Statement of Intention with respect to secured property, if required, within **30 days** of the entry of this order or before the first date set for the meeting of creditors in the converted case, whichever is earlier;

4. ***[If applicable]*** If the Chapter 13 plan had been confirmed, the joint debtor shall file within **45 days** of the date of this order, pursuant to Federal Rule of Bankruptcy Procedure 1019(5), either;
   (a) a schedule of property not listed in the final report and account acquired after filing of the original petition but before entry of conversion order and a schedule of executory contracts and unexpired leases entered into or assumed after the filing of the original petition but before entry of the conversion order, **or**
   (b) a certification that the schedules already filed accurately reflect the debtor's financial affairs as of the date the case was converted.

5. ***[If original case filed on or after October 17, 2005]*** The joint debtor, pursuant to Local Bankruptcy Rule 1017-1(C), shall file with the Court within **14 days** after the conversion of this case Official Form B22A-1, "Chapter 7 Statement of Your Current Monthly Income."

6. The joint debtor shall pay the following fees to the "Clerk, U.S. Bankruptcy Court," within **14 days** of the entry of this order:
[check if applicable] ✓ **$310.00 additional filing fee;** ✓ **$25.00 conversion fee**

7. ***[If applicable]*** If the joint debtor has been making payments by payroll deduction, the employer as set forth in the order for payroll assignment shall cease any payroll deductions for the benefit of the Chapter 13 Trustee.

It is further **ORDERED** that the debtor's failure to comply with any of the requirements as set forth in paragraph numbered five (5) and paragraph numbered six (6) above will result in the case being dismissed.

It is further **ORDERED** that this case be divided into two separate bankruptcy cases. The husband's case shall be case number 13-33660, and the wife's case shall be case number 15-30040.

WILLIAM C. REDDEN
CLERK OF COURT

Date: January 06, 2015

By: /s/ C. Baumgartner
Deputy Clerk

NOTICE OF JUDGMENT OR ORDER
ENTERED ON DOCKET:
January 06, 2015